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Schering-Plough Corporation

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RICHARD HASKIN, individually and on behalf  
of all others similarly situated,

No.: C 08-0376 SI

Plaintiffs,

VS.

MERCK & CO., INC. and SCHERING-PLOUGH CORP.,

**STIPULATION TO EXTEND TIME FOR  
DEFENDANT SCHERING-PLOUGH  
CORPORATION TO RESPOND TO  
COMPLAINT**

Compl. Filed: January 22, 2008  
Trial Date: None set  
Disc. Cut-Off: None set

Honorable Susan Illston

The Plaintiff Richard Haskins (“Plaintiff”) and Defendant Schering-Plough Corporation (“Schering-Plough”), by and through their counsel, hereby stipulate as follows:

1. That Plaintiff filed the Complaint in this action on January 22, 2008;

2. That the last day for Schering-Plough Corp. to file a responsive pleading is April 4,

3. That a hearing is scheduled before the Judicial Panel on Multidistrict Litigation (“JPML”) in Austin, Texas for March 27, 2008. At that hearing, the JPML shall consider the centralization of this, and other, pending actions involving the pharmaceuticals Vytorin and Zetia;

4. That Schering-Plough wishes to defer its response to Plaintiff's Complaint until the conclusion of the JPML hearing; and

5. That Plaintiffs agree to an extension of time as set forth in the proposed Order below.

DATED: March \_\_\_, 2008.

REED SMITH LLP

By /s/ Steven J. Boranian  
Steven J. Boranian  
Attorneys for Defendant  
Schering-Plough Corporation

DATED: March 2008.

## LEVIN SIMES KAISER & GORNICK LLP

By /s/ Lawrence J. Gornick  
Lawrence J. Gornick  
Attorneys for Plaintiff

## [PROPOSED] ORDER

IT IS HEREBY ORDERED that (1) Schering-Plough shall notify the Court of the decision of the JPML within three business days after the JPML issues its decision; (2) that the time within

1 which Schering-Plough may answer, move or otherwise respond to the Complaint in this action is  
2 hereby extended to a date to be set at the first scheduling conference after the JPML issues its  
3 decision; and (3) that if Schering-Plough files a responsive pleading in any other similar action  
4 pending in another federal district court, it shall notify the Plaintiff's counsel before filing such a  
5 pleading, and the Plaintiff may then file a motion to amend this Order. Schering-Plough reserves the  
6 right to oppose such a motion.

7 IT IS SO ORDERED.

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9 HON. SUSAN ILLSTON, U.S.D.J.

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